

**AFFIDAVIT FOR PROBABLE CAUSE FOR
A COMPLAINT AND ARREST WARRANT**

I, Kevin Lee Porter, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the United States Department of Transportation (USDOT), National Highway Traffic Safety Administration (NHTSA), Office of Odometer Fraud Investigation (OFI). I have been employed in this capacity since August 2017. Prior to my employment with USDOT-NHTSA, from June 2010 through August 2017, I was a Special Agent with the United States Department of Agriculture (USDA), Office of Inspector General (OIG). As a Special Agent with USDA OIG, I conducted, supervised, and led criminal, civil, and administrative investigations involving extreme sensitivity, scope, and complexity. From August 2007 through June 2010, I was a Special Agent with the United States Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), Office of Law Enforcement (OLE). As a Special Agent with DOC NOAA OLE, I conducted complex criminal and civil investigations dealing with the nation's marine resource laws.

2. In my current capacity, I have participated in the criminal investigation of **MARK LONGGREAR, ZACHARY LONGGREAR**, owners and operators of **SOUTHERN AUTO BUYERS, LLC (SOUTHERN AUTO BUYERS)**, and others, for violations of Title 49, United States Code, Section 32703(2), Odometer Tampering; Title 49, United States Code, Section 32705(a)(2), False Odometer Disclosure Statements; and Title 18, United States Code, Section 371, Conspiracy; as set forth in the Criminal Complaint.

3. Because this affidavit is submitted for the limited purpose of securing a compliant and arrest warrant, I have not included each and every fact known to me concerning this investigation. The facts set forth in this affidavit are based on my personal observations, my

training and experience, information obtained from other agents and witnesses, and review of reports and records examined.

PROBABLE CAUSE

4. Per Mississippi Secretary of State records, **SOUTHERN AUTO BUYERS** is a Limited Liability Company, in good standing, and was formed on December 20, 2013. The most recent Secretary of State records show **MARK LONGGREAR** as the registered agent and manager of **SOUTHERN AUTO BUYERS**, with the address of **1745 BRECON DRIVE, JACKSON, MS**.

5. Mississippi Secretary of State records also show prior to the formation of **SOUTHERN AUTO BUYERS**, **MARK LONGGREAR** and **ZACHARY LONGGREAR** operated a business under the name Southern Auto Imports, Inc. Under Southern Auto Imports, Inc., **MARK LONGGREAR** was listed as the director/secretary and **ZACHARY LONGGREAR** was listed as the incorporator. This business was dissolved on December 15, 2011.

6. On September 26, 2017, Mississippi Department of Revenue provided Agents copies of **SOUTHERN AUTO BUYERS** Motor Vehicle Dealer File (MVDF). The most recent renewal application in the MVDF identifies **SOUTHERN AUTO BUYERS** as a Mississippi motor vehicle dealer. The application is signed by **ZACHARY LONGGREAR**.

7. My investigation revealed from at least January 2014 to present, **MARK LONGGREAR** and/or **ZACHARY LONGGREAR**, via **SOUTHERN AUTO BUYERS**, bought late model high mileage vehicles from auctions, dealerships, and/or individuals.

8. Agents have confirmed through review of Cspire toll records and interviews of witnesses, both **MARK LONGGREAR** and/or **ZACHARY LONGGREAR** contacted individuals in order to buy vehicles that were posted for sale on Craigslist. During the process of buying the vehicles, **MARK LONGGREAR** and **ZACHARY LONGGREAR** discussed pricing, availability, and vehicle location with Craigslist sellers.

9. Agents have determined through interviews and reviewing records, **MARK LONGGREAR** and **ZACHARY LONGGREAR** altered (or caused to be altered) the odometers and titles on more than 50 vehicles. Each of these vehicles were bought by **MARK LONGGREAR** or **ZACHARY LONGGREAR** from an individual, dealership, and/or auction with high mileage.

10. Typically, within a few days of purchase, **MARK LONGGREAR** or **ZACHARY LONGGREAR** sold those vehicles to larger franchise dealerships with rolled-back odometers and titles reflecting a false lower mileage. Such is the case with **CANNON MOTORS OF VICKSBURG** and **HERRIN GEAR TOYOTA**.

CANNON MOTORS OF VICKSBURG

11. On September 20, 2017, a **2013 Dodge Ram, Vin Ending: 711742** was posted for sale on Craigslist with 95,000 miles for \$18,000. Within the body of the Craigslist posting there was a contact phone number listed.

12. From September 26, 2017 to October 10, 2017 multiple phone calls were made between **ZACHARY LONGGREAR'S** cellular phone number of (601) 850-8568 and the phone number included in the Craigslist posting for the **2013 Dodge Ram, Vin Ending: 711742**.

13. On October 10, 2017, a cashier's check in the amount of \$17,800 was issued, payable to the owner of the **2013 Dodge Ram, Vin Ending: 711742**. The cashier's check was obtained and signed by **ZACHARY LONGGREAR**. The cashier's check was deposited into the account of the previous owner.

14. On October 13, 2017, records were submitted to MS DOR by **SOUTHERN AUTO BUYERS**. The records reflected the **2013 Dodge Ram, Vin Ending: 711742** was purchased by **MARK LONGGREAR**. The records report the vehicle to have 76,213 miles. The records also stated the original title was lost, and a replacement title needed to be issued.

15. On November 22, 2017, the **2013 Dodge Ram, Vin Ending: 711742** was observed displayed for sale on the lot shared by **CANNON HONDA OF VICKSBURG** and **CANNON TOYOTA OF VICKSBURG**. This vehicle was also observed for sale on the **CANNON MOTORS** website with 68,914 miles for \$22,000.

16. On October 8, 2017, a **2013 Chevrolet Tahoe, Vin Ending: 145048** was posted for sale on Craigslist with 139,000 miles for \$20,000. A personalized license plate with the owner's last name is visible in one of the Craigslist photos.

17. A review of bank records for **SOUTHERN AUTO BUYERS** showed that on October 16, 2017, **ZACHARY LONGGREAR** debited \$20,500 from account ending #0871. On the bottom of the withdrawal slip, the same last name as what appeared on the above personalized plate is written.

18. On November 22, 2017, the **2013 Chevrolet Tahoe, Vin Ending: 145048** was observed for sale on the lot shared by **CANNON HONDA OF VICKSBURG** and **CANNON TOYOTA OF VICKSBURG**,¹ with approximately 68,454 miles for \$27,500.

19. On December 18, 2017, a **2014 Ford Mustang GT, Vin Ending: 239377** was posted for sale on Craigslist with 73,000 miles for \$18,344. The Craigslist add listed a contact name and phone number.

20. Between December 19, 2017 to January 2, 2018, text messages and phone calls were exchanged between **MARK LONGGREAR**'s cell phone number (601) 720-9808, **ZACHARY LONGGREAR**'s cell phone number (601) 850-8568, and the cell phone number listed as the contact number in the Craigslist posting for the **2014 Ford Mustang GT, Vin Ending: 239377**.

21. From January 3, 2018 to January 5, 2018, a black Ford Mustang GT is visible parked in the driveway at the residence of **MARK LONGGREAR, 1745 BRECON DRIVE, JACKSON, MS**.

22. On January 5, 2018, a search of the internet site for **CANNON TOYOTA OF VICKSBURG** showed the **2014 Ford Mustang GT, Vin Ending: 239377**. It was listed for sale with 36,591 miles for \$23,900.

¹ The subject vehicle was parked primarily on the Honda side of the parking lot.

HERRIN GEAR TOYOTA

23. Agents have also conducted interviews with ‘High Mileage Sellers’ who sold their vehicles to **MARK LONGGREAR** or **ZACHARY LONGGREAR**.² Below are summaries of some interviews:

- a. **2010 Ford F-150, VIN ending: A70376** – On or about November 23, 2016, the owner sold the vehicle to **MARK LONGGREAR** for \$19,000. The owner documented the transaction with a notarized Bill of Sale. The Bill of Sale included the signature of the owner and **MARK LONGGREAR**. Attached to the Bill of Sale was a copy of **MARK LONGGREAR**’s Mississippi Driver’s License. The Bill of Sale and title given to **MARK LONGGREAR** recorded the actual mileage of the vehicle as 117,257. The owner reviewed the vehicle title **MARK LONGGREAR** used to sell the vehicle to Herrin-Gear Toyota in Jackson, MS, which listed the mileage as 74,235. The owner verified the lower mileage on 74,235 was false, and further noted the signature on the title was not his/her signature. The title the owner provided **MARK LONGGREAR** was the original title for the vehicle, which had his/her real signature, and recorded the correct mileage of 117,257. The title used by **MARK LONGGREAR** to sell the vehicle was a replacement title (and included the owner’s forged signature and false low mileage). A **SOUTHERN AUTO BUYERS** Bill of Sale reflects

² The ‘High Mileage Sellers’ are the owners who are mentioned in subsections (a)-(d).

MARK LONGGREAR sold this vehicle to Herrin-Gear Toyota for \$22,000. Herrin-Gear Toyota records show a customer bought this vehicle for \$25,500.

- b. **2012 Cadillac SRX, VIN ending: 559275** – On or about December 20, 2016, the owner sold this vehicle to **ZACHARY LONGGREAR** for \$17,700. At the time the vehicle was sold to **ZACHARY LONGGREAR** it had approximately 84,907 miles on it. The owner's signature and odometer disclosure on the back of the title were forged. The vehicle title reflects **ZACHARY LONGGREAR** sold this vehicle to Herrin-Gear Toyota with 47,490 miles. The **SOUTHERN AUTO BUYERS** Bill of Sale reflects Herrin-Gear Toyota paid \$18,300 for the vehicle. Herrin-Gear Toyota records show a customer bought this vehicle for \$28,187.
- c. **2007 Chevrolet Tahoe, VIN# ending: 111731** – On or about June 6, 2016, the owner sold **ZACHARY LONGGREAR** this vehicle for \$11,500, the vehicle had approximately 137,000 miles on it. The owner reviewed the vehicle title used to sell the vehicle to Herrin-Gear Toyota. He/she recognized the signature on the back of the title, transferring ownership to **SOUTHERN AUTO BUYERS**, as his/her authentic signature. He/she thought the odometer/mileage section of the title was left blank when it was purchased by **ZACHARY LONGGREAR**. The owner also completed a Bill of Sale which is signed by the owner and **ZACHARY LONGGREAR**. A **SOUTHERN AUTO BUYERS** Bill of Sale reflects **MARK LONGGREAR** sold this vehicle to Herrin-Gear Toyota with 96,838 miles for \$14,300. Herrin-Gear Toyota records show a customer bought this vehicle for \$26,906.


- d. **2012 Chevrolet Silverado, VIN# ending: 106797** – On or about April 15, 2016, the owner sold this vehicle to **MARK LONGGREAR** for \$7,500. When the vehicle was sold to **MARK LONGGREAR** it had approximately 151,238 miles on it. The owner reviewed the vehicle title **MARK LONGGREAR** used to sell the vehicle to Herrin-Gear Toyota. He/she recognized the signature on the title as being authentic, but he/she did not write in the mileage of 63,714. The owner did not recall if the actual mileage of 151,538 was written on the title given to **MARK LONGGREAR**. The owner thought it was possible that he/she signed the title, but left the mileage/odometer section blank. The owner completed a Bill of Sale, which he/she signed and was also signed by **MARK LONGGREAR**. The Bill of Sale recorded the mileage on the vehicle as 151,538. The vehicle title reflects **MARK LONGGREAR** sold this vehicle to Herrin-Gear Toyota. A **SOUTHERN AUTO BUYERS** Bill of Sale reflects Herrin-Gear Toyota paid \$17,000 for this vehicle. Herrin-Gear Toyota records show a customer bought this vehicle for \$18,700.

CONCLUSION

24. Based on my training and experience, information provided by witnesses, information from other law enforcement officers, and information and documents obtained during this investigation, I believe probable cause exists showing **MARK LONGGREAR and ZACHARY LONGGREAR**, owners and operators of **SOUTHERN AUTO BUYERS, LLC (SOUTHERN AUTO BUYERS)**, and others, have engaged in crimes against the United States from a criminal offense in violations of Title 49, United States Code, Section 32703(2), Odometer Tampering; Title 49, United States Code, Section 32705(a)(2), False Odometer

Disclosure Statements; and Title 18, United States Code, Section 371, Conspiracy; as set forth in the Criminal Complaint., from the period of at least January 2014 to on or about present.

Respectfully submitted,



Kevin Lee Porter
Special Agent
United States Department of Transportation
National Highway Traffic Safety Administration
Office of Odometer Fraud Investigation

SWORN to before me on this ^{4th} 16 day of March, 2018.


UNITED STATES MAGISTRATE JUDGE